

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 16, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Cuffe. Pledge of Allegiance of the Flag.

Roll Call. All members present, except Representatives Calf Boss Ribs, Randall, Warburton, and Wilmer, excused. Quorum present.

BILLS (O'Hara, Chair): 2/16/2013

Correctly printed: **HB 66, HB 95, HB 163, HB 189, HB 205, HB 240, HB 284, HB 287, HB 301, HB 302, HB 303, HB 304, HB 334, HB 367, HB 371, HB 374, HB 384, HB 388, HB 389, HB 392, HB 420, HB 446, HB 508, HB 509, HB 510, HB 511, HB 512, HB 513, HB 514, HB 515, HB 516, HB 517, HB 518, SB 47, SB 90.**

Correctly engrossed: **HB 170, HB 203, HB 286, HB 297, HB 310, HB 335, HB 352, HB 358, HB 359, HB 402, HB 404.**

Transmitted to the Senate: **HB 179, HB 317, HB 323.**

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Welborn, Chair): 2/14/2013
HB 404, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "A DELAYED"

Insert: "AN"

2. Page 3, line 26.

Strike: "January 1, 2014"

Insert: "July 1, 2013"

3. Page 3, line 28.

Strike: "2017"

Insert: "2015"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair): 2/15/2013

HB 66, do pass. Report adopted.

HB 95, do pass. Report adopted.

HB 163, do pass. Report adopted.

HB 170, introduced bill, be amended as follows:

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1. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 16.

Following: line 15

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates June 30, 2019."

And, as amended, do pass. Report adopted.

HB 189, do pass. Report adopted.

HB 203, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "APPROPRIATION;"

Insert: "PROVIDING A COORDINATION INSTRUCTION REGARDING APPROPRIATIONS FOR AID TO PUBLIC LIBRARIES;"

2. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 2, line 25.

Strike: "50"

Insert: "30"

4. Page 2, line 27.

Strike: "50"

Insert: "30"

5. Page 3, line 8.

Following: line 7

Insert: "NEW SECTION. Section 3. Coordination instruction. If House Bill No. 2 is passed and approved and includes an appropriation to the state library commission to provide state aid to public libraries that is equal to or greater than the amount of funding as calculated in [section 2 of this act, amending 22-1-327], then [section 4 of this act] must read as follows:

"NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2015."

Renumber: subsequent sections

6. Page 3, line 10.

Following: line 9

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates July 1, 2017."

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And, as amended, do pass. Report adopted.

SB 47, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):
HB 297, introduced bill, be amended as follows:

2/15/2013

1. Title, line 10.

Following: "PROGRAM"

Insert: "OR OTHER APPLICABLE FEDERAL LAW"

2. Title, line 10 through line 11.

Strike: "PROVIDING" on line 10 through "LAW;" on line 11

3. Page 2, line 30.

Following: "filed"

Insert: "and that the employer has 15 days to respond to the complaint"

4. Page 3, line 13.

Following: "hearing"

Insert: ", subject to the contested case provisions of the Montana Administrative Procedure Act,"

5. Page 3, line 16.

Following: "program"

Strike: ". An employer who establishes that"

Insert: "or"

6. Page 3, line 17 through line 18.

Strike: "establishes" on line 17 through "(1)" on line 18

7. Page 3, line 19.

Strike: "8 U.S.C. 1324a(b)"

Insert: "this subsection"

8. Page 4, line 19.

Following: "(5)"

Insert: "(a)"

9. Page 4, line 21.

Following: "suspend,"

Strike: "for at least 30 days or for a longer period of time"

10. Page 4, line 22.

Following: "department"

Insert: "pursuant to subsection (5)(b)"

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11. Page 4, line 27.

Following: "license"

Strike: "for at least 30 days or for a longer period"

12. Page 4, line 28.

Following: "department"

Insert: "pursuant to subsection (5)(b)"

13. Page 4, following line 28.

Insert: "(b) (i) For a second offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 1-day period.

(ii) For a third offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 3-day period.

(iii) For a fourth or subsequent offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 10-day period."

14. Page 4, line 29 through line 30.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Page 1, line 15.

Insert: "(3) This section does not apply to instances of gross negligence or willful or wanton acts or omissions."

And, as amended, do pass. Report adopted.

HB 402, introduced bill, be amended as follows:

1. Title, line 5.

Following: "OF"

Insert: "TABLE"

Following: "WINE"

Insert: "TO INDIVIDUAL CONSUMERS"

2. Page 1, line 16.

Following: "cases of"

Insert: "table"

3. Page 1, line 18.

Following: "of"

Insert: "table"

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4. Page 1, line 20.

Following: "of"

Insert: "table"

5. Page 1, line 25.

Following: "ship"

Insert: "table"

6. Page 1, line 28.

Following: "shipping"

Insert: "table"

7. Page 2, line 2.

Following: "of"

Insert: "table"

8. Page 2, line 3.

Following: "the"

Insert: "table"

9. Page 2, line 5.

Following: "of"

Insert: "table"

10. Page 2, line 12.

Following: "whom the"

Insert: "table"

11. Page 2, line 13.

Following: "of"

Insert: "table"

12. Page 2, line 18.

Following: "fill"

Insert: "table"

13. Page 3, line 6.

Following: "on"

Insert: "table"

14. Page 4, line 22.

Following: "ship"

Insert: "table"

15. Page 5, line 24.

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Following: "and"
Insert: "table wine"

16. Page 6, line 20.
Following: "ship"
Insert: "table"

17. Page 7, line 22.
Following: "~~bottles or~~"
Insert: "288 bottles or"

18. Page 9, line 7.
Following: "of"
Insert: "table"

And, as amended, do pass. Report adopted.

EDUCATION (Hansen, Chair):
HB 286, introduced bill, be amended as follows:

2/15/2013

1. Page 1, line 22.
Following: "who"
Insert: "have one-fourth Indian blood or more or"

And, as amended, do pass. Report adopted.

HB 301, do pass. Report adopted.

JUDICIARY (Kerns, Chair):
HB 205, do pass. Report adopted.
HB 240, do pass. Report adopted.
HB 302, do pass. Report adopted.
HB 303, do pass. Report adopted.
HB 304, do pass. Report adopted.

2/15/2013

HB 335, introduced bill, be amended as follows:

1. Page 2, line 9.
Following: "~~confinement.~~"
Insert: "If, at the time of sentencing, the sentencing judge did not apply a level designation to a sexual offender who is required to register under this part and who was sentenced prior to October 1, 1997, the department shall designate the offender as level 1, 2, or 3 when the offender is released from confinement."

2. Page 2, line 9 through line 16.

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Strike: "Upon" on line 9 through "offender." on line 16

3. Page 2, following line 22.

Insert: "(8) Upon obtaining information that indicates that a sexual offender who is required to register under this part does not have a level 1, 2, or 3 designation, the attorney general, the county attorney that prosecuted the offender and obtained a conviction for a sexual offense, or the county attorney for the county in which the offender resides may, at any time, petition the district court that sentenced the offender for a sexual offense or the district court for the judicial district in which the offender resides to designate the offender as level 1, 2, or 3. Upon the filing of the petition, the court may order a sexual offender evaluation report at the petitioner's expense. The court shall provide the offender with an opportunity for a hearing prior to designating the offender. The petitioner shall provide the offender with notice of the petition and notice of the hearing."

And, as amended, do pass. Report adopted.

HB 352, introduced bill, be amended as follows:

1. Page 1, line 13 through line 15.

Following: "disqualification" on line 13

Strike: remainder of line 13 through line 15 in their entirety

Insert: "of judges, the justice of the peace shall follow the procedures provided in 3-1-803 and 3-1-805 and transfer the action to a district court judge presiding in the district of the justice's court."

And, as amended, do pass. Report adopted.

HB 358, do pass. Report adopted.

HB 374, do pass. Report adopted.

HB 384, do pass. Report adopted.

HB 446, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

2/15/2013

HB 359, introduced bill, be amended as follows:

1. Page 4, line 2.

Following: "facility."

Insert: "Admission of this evidence does not make the department a necessary party to the action."

And, as amended, do pass. Report adopted.

HB 388, do pass. Report adopted.

HB 389, do pass. Report adopted.

HB 392, do pass. Report adopted.

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MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 2/15/2013

HB 164, introduced by Curtis

Senate bills passed and transmitted to the House for concurrence: 2/15/2013

SB 196, introduced by Rosendale

SB 209, introduced by Arthun

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 508, introduced by Edmunds, referred to Transportation.

HB 509, introduced by Regier, referred to Federal Relations, Energy, and Telecommunications.

HB 510, introduced by Ingraham, referred to State Administration.

HB 511, introduced by McChesney, Van Dyk, referred to Business and Labor.

HB 512, introduced by McClafferty, Brockie, Calf Boss Ribs, Coffin, Dudik, Gursky, Lynch, McChesney, D. Moore, Noonan, Pease-Lopez, Peppers, Pierson, Price, Salomon, Swanson, Welborn, referred to Fish, Wildlife and Parks.

HB 513, introduced by McChesney, Ankney, Arntzen, Blasdel, Cuffe, Glimm, Hollandsworth, Keane, Thomas, Vincent, referred to Transportation.

HB 514, introduced by McNally, referred to Judiciary.

HB 515, introduced by Harris, referred to Judiciary.

HB 516, introduced by Harris, referred to Natural Resources.

HB 517, introduced by Cuffe (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 518, introduced by Gursky, B. Bennett, Lieser, MacDonald, O'Hara, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 148 - Senate Amendments - Representative Connell moved Senate amendments to **HB 148** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 284 - Representative Cook moved **HB 284** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Glimm, Greef, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Gibson, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Lenz, McNiven, Miller, O'Neil, Osmundson, Peppers, Regier, Reichner, C. Smith, Wagoner, Warburton, Zolnikov.
Total 32

Voted Absentee: Boss Ribs, Randall, Wilmer, Aye; Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 287 - Representative Salomon moved **HB 287** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, Edmunds, Fiscus, Flynn, Greef, Hagstrom, Halvorson, Harris, Jones, Kary, Kerns, Miller, O'Neil, Randall, Schwaderer, Vance, White, Zolnikov.

Total 19

Voted Absentee: Boss Ribs, Warburton, Wilmer, Aye, Randall, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 334 - Representative Eck moved **HB 334** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, Harris, Wilson.

Total 3

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 367 - Representative McNiven moved **HB 367** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Gibson.

Total 1

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 - Representative Ingraham moved **HB 371** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: Hoven, Kerns, Lenz, Schwaderer.

Total 4

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 416 - Representative Reichner moved **HB 416** do pass. Motion **failed** as follows:

Yeas: Ankney, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Dudik, Gursky, Hagan, Hill, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Reichner, Salomon, Shaw, B. Smith, Steenberg, Welborn, Whitford, Wilmer, Wilson.

Total 36

Nays: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, Miller, Moore, Noonan, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, Schreiner, Schwaderer, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 64

Voted Absentee: Boss Ribs, Wilmer, Aye; Randall, Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 420 - Representative Salomon moved **HB 420** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson,

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Woods.
Total 69

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Gibson, Glimm, Halvorson, Harris, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Regier, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.
Total 31

Voted Absentee: Boss Ribs, Wilmer, Aye; Randall, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 90 - Representative Knudsen moved **SB 90** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Cook, Redfield.

Total 2

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: Schwaderer.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 360 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

HB 363 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, J. Bennett, Boland, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Gibson,

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Gursky, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

SB 5 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: Miller.

Total 1

SB 36 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

SB 75 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

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SB 141 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 490** be moved from the Taxation committee to the Business and Labor committee.

Majority Leader Vance moved **HB 504** be moved from the Human Services committee to the Judiciary committee.

Majority Leader moved **HB 284** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 420** be moved from the Committee of the Whole to the Appropriations committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsor to **HB 286**
Motion carried.

HB 286 (Brockie Chief Sponsor)

Calf Boss Ribs, Pease-Lopez, Peppers, Salomon, B. Smith, and Whitford.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Monday, February 18, 2013. Motion carried.

House adjourned at 9:30 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House